

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

KIMBERLY C. CUTONE and ANTHONY
CUTONE,

Plaintiffs,

v.

ELI LILLY AND COMPANY, et al.,

Defendants.

Civil Action No. 1:04-cv-12725 (JLT)

**STIPULATION OF DISMISSAL WITH PREJUDICE OF
DEFENDANT PREMO PHARMACEUTICAL LABORATORIES, INC.**

Pursuant to Fed. R. Civ. P. 41(a)(1)(ii), Plaintiffs Kimberly C. Cutone and Anthony Cutone hereby Dismiss the above-referenced action in its entirety as to defendant Premo Pharmaceutical Laboratories, Inc. With Prejudice, with each party to bear its own costs and attorneys' fees.

Respectfully submitted,

/s/ Sheila Mone (by permission)

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